

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|------------------------|---|--------------------|
| TIMOTHY R. JOHNSON and | : | CIVIL ACTION |
| HIXCY COTHRAN | : | |
| | : | |
| v. | : | |
| | : | |
| GLOBAL TEL*LINK | : | NO. 08-cv-06056-JF |

MEMORANDUM AND ORDER

Fullam, Sr. J.

January 14, 2009

Plaintiff Timothy R. Johnson is an inmate incarcerated at the State Correctional Institution at Huntingdon, Pennsylvania. The other named plaintiff, Hixcy Cothran, is his sister. The complaint Mr. Johnson has tendered for filing is not a masterpiece of clarity, but, generously interpreted, seems to assert that the named defendant, Global Tel*Link, is violating the Federal Telecommunications Act of 1990, and various other statutes, in its relationship to the state institution at Huntingdon, and that plaintiff and members of his family (including, apparently, his sister) are improperly being required to use the services of the named defendant, and are being charged excessive rates for telephone communications to and from the institution in which plaintiff is confined.

Because of the following defects, it is apparent that plaintiff cannot proceed in this Court at this time: (1) the complaint is not signed; (2) plaintiff has not paid the \$350 filing fee, nor has either he or his sister sought leave to

proceed *in forma pauperis*; (3) all of the wrongs complained of occurred in the Middle District of Pennsylvania, not in the Eastern District. In short, if plaintiff wishes to proceed with this litigation, he must file his complaint in the Middle District of Pennsylvania, and must either tender the filing fee or obtain leave to proceed *in forma pauperis*. An Order to that effect follows.

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ORDER

AND NOW, this ^{14th} day of January 2009, IT IS ORDERED:

1. The complaint tendered by plaintiff Timothy R. Johnson is STRICKEN from the record. The Clerk is directed to return that document to the plaintiff.
2. This Order is without prejudice to plaintiff's right to proceed in an appropriate jurisdiction, upon compliance with filing requirements (i.e., either paying the filing fee or obtaining leave to proceed *in forma pauperis*).
3. The Clerk is directed to close the file.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.